

DEPARTMENT OF THE ARMY
U.S. Army Medical Department Center and School
Fort Sam Houston, Texas 78234-6100

Regulation
Number 690-1

19 January 1993

Civilian Personnel
AUTHORIZATION AND CONTROL OF OVERTIME

1. PURPOSE. This regulation establishes responsibilities and policies governing the approval and control of compensation for work performed outside of normal duty hours by civilian employees.

2. SCOPE. This regulation is applicable to all elements of the U.S. Army Medical Department Center and School (AMEDDC&S). The U.S. Army Medical Equipment and Optical School (USAMEOS) and U.S. Army School of Aviation Medicine (USASAM) will comply with regulations established at the host installation.

3. GENERAL.

a. Overtime compensation is paid, or compensatory time off granted, for work which is officially ordered and approved in excess of the 8 hour work day or in excess of the 40 hour work week. Employees working a compressed schedule IAW 5USC 6120 (e.g., four 10-hour days per week) are excluded from traditional laws relating to work in excess of 8 hours a day and/or 40 hours a week.

b. The Fair Labor Standards Act (FLSA) of 1974 extends the coverage of the Act to federal employees and provides that employees who are not exempt from the provisions of the Act are entitled to overtime pay for work which the employer "suffers or permits" to be performed in excess of 40 hours a week.

(1) For FLSA purposes, employees are either exempt (excluded) or nonexempt (covered) from the provisions of the Act. The Directorate of Civilian Personnel (DPC) makes this determination as part of the classification process. Each employee's job description is annotated to show this determination (Block 9, DA Form 374). Supervisors should be aware of this identification. Any question with regard to the FLSA status of an employee should be addressed to the AMEDDC&S classification specialist at the DCP, Fort Sam Houston.

(2) Under this concept, any work performed for the benefit

*This regulation supersedes AHS Reg 690-1, 1 Jul 88.

of the employer, whether requested or not, prior to or after the established shift hours or during the prescribed lunch period is working time if the manager or supervisor knows of, or has reason to believe it is being performed.

c. Compensatory Time:

(1) Compensatory time may be granted in payment of "irregular or occasional" overtime work. Overtime work that is scheduled in advance of the beginning of the work week is "regularly scheduled" overtime and **not** "irregular or occasional."

(2) All compensatory time must be recorded and reported on USAFAC Form 3111, Standard Army Civilian Payroll System (STARCIPS) Time and Labor Report. A USAFAC Form 3111 is routinely completed for each employee. Each pay period the number and type of hours worked for each employee is recorded on a separate USAFAC Form 3111. After the information from the USAFAC Form 3111 has been entered into STARCIPS and the form has been signed by the certifier, it is maintained on file by the timekeeper for a period of one year before being transferred to the records holding area where the records are held for an additional five years. An employee's FLSA status (exempt or nonexempt) has no bearing on this requirement. All compensatory time must be documented on the USAFAC Form 3111 regardless of FLSA status.

(3) As compensatory time is used, the timekeeper will post hours taken on USAFAC Form 3111. The employee should submit Standard Form 71, Application for Leave, to substantiate that he or she has taken the compensatory time.

(4) Supervisors should ensure that unliquidated compensatory time is used before approving annual leave, unless by doing so, the employee would be compelled to forfeit annual leave. As a rule, compensatory time should be taken in lieu of annual leave.

(5) Wage Grade employees will be paid for all overtime work performed. Under no circumstances will they be granted compensatory time off in lieu of overtime pay.

(6) Compensatory time may be granted to general schedule (GS/GM) employees in lieu of payment of irregular or occasional overtime. Employees whose rate of basic pay exceeds the maximum rate for a GS-10 should take compensatory time in lieu of

overtime pay. Likewise, GS/GM employees whose salary is less than the rate for GS-10 step 10, may not be forced to take compensatory time in lieu of overtime pay. Employees may, however, request compensatory time in lieu of overtime pay.

(7) Management may direct employees at and above the cited rate of pay in paragraph 3c(6) above, to take compensatory time in lieu of payment for irregular or occasional overtime.

(8) As a rule, employees should not be granted annual leave or compensatory time during the same pay period in which overtime is scheduled to be performed. Supervisors must demonstrate that the approval of leave during the same pay period does not create or increase the need for overtime. This does not apply to employees working compressed schedules as cited in paragraph 3a or workcenters in which the work week must be adjusted to include working weekends and holidays (i.e., student tours, computer operations, official visits and social functions requiring protocol coverage).

4. RESPONSIBILITIES.

a. The Director of Resource Management (DRM) is authorized to approve overtime work for civilian employees under the conditions described in paragraph 5a below.

b. Managers and supervisors will:

(1) Take action to prevent non-exempt employees from performing overtime work which is not officially ordered or approved.

(2) Ensure that compensatory time off (para 5c below) is taken within a reasonable time after the overtime work is performed and, if possible, during the same pay period, but in no event later than the thirteenth pay period (26 weeks) following the pay period in which the overtime work was performed. Compensatory time converts to pay if not taken by the thirteenth pay period. This will impact on your civilian pay accounts. Reports generated by STARCIPS (i.e., PCN AVX G044) are distributed to supervisors to assist them in monitoring leave balances.

(3) Seek to reduce overtime by assisting subordinates to increase efficiency, productivity, and economy of operations.

5. POLICIES.

a. Overtime work beyond the regularly established basic tour of duty may be utilized only under one or more of the following conditions:

(1) Emergency situations involving preservation of health or safety of persons or protection of government property.

(2) Temporary peak workloads or seasonal requirements when overtime is more economical to the government than hiring additional staff.

(3) Unique operating requirements when overtime is more economical than expenses which would otherwise be incurred.

(4) Employees will be paid for time in a travel status outside of their work schedule and away from their official duty station only if the travel involves the performance of work while traveling or is incidental to travel that involves the performance of work while traveling. Employees traveling overseas in conjunction with TDY should arrange their travel schedule accordingly. Travel schedule should be planned well in advance to allow for traveling on normal duty days and to provide for being on station in sufficient time to accomplish the mission.

(5) Employees in a TDY status who are required to work in excess of the normal 40 hour work week are entitled to either overtime or compensatory time depending upon their FLSA status. A request for overtime (paid or compensatory) should be initiated in advance of the employee departing TDY if the projected work or travel schedule indicates that overtime will be required in order to accomplish the mission. If the requirement for overtime is not recognized prior to the employee departing TDY, the employee should notify his/her supervisor as soon as possible in order for the supervisor to initiate a request for the projected amount of overtime required to accomplish the mission.

(6) Overtime and compensatory time performed at home or away from the normal duty station will have a work plan prepared by the supervisor prior to requesting the compensatory or overtime. This plan should include measurable results that the employee can show when the work is completed. Work at home will not involve sensitive or classified material or require special equipment that is available only at the work place.

b. Requests for overtime pay or compensatory time will be submitted in writing prior to work being performed except under

emergency conditions, as described in 5a above. When prior written approval cannot be obtained because of emergencies, approval will be obtained within three work days following the date overtime work was performed or before the end of the pay period, whichever is earlier.

c. Classification Act employees whose rate of basic compensation exceeds the maximum scheduled rate of GS-10 and who are exempt from the Fair Labor Standards Act will be required to take compensatory time off in lieu of overtime pay. Authority to approve overtime includes authority to approve exceptions to this requirement when exigencies of the service preclude granting compensatory time off within time limits indicated in subparagraph 4b(2) above.

d. Subject to the normal two weeks advance notice requirement of reference 7c below, regular tours of duty may be modified when such action will reduce or eliminate overtime requirements. When such action is contemplated, the DCP, Fort Sam Houston, should be consulted for any other limitations or considerations.

e. The USAFAC Form 3111 will properly reflect employee's status to include any periods of overtime work performed while on TDY, and all compensatory time earned or taken during the pay period.

6. PROCEDURES.

a. Requests for overtime (paid or compensatory) will be submitted on FSH Form 963, Request and Authorization For or Approval of Overtime and/or Holiday Work, through the appropriate channels to the DRM for approval as indicated in paragraph 4a above.

b. The justification for overtime should include sufficient detail to allow management to assess and justify the requirement.

c. Prepare overtime request with one copy. Original of each approved request will be filed in DRM, a copy is forwarded to requestor.

AMEDDC&S REG 690-1

7. REFERENCES.


- a. AR 37-105.
- b. DA Circular 310-70.
- c. FSH Reg 690-45.
- d. CPR 550.
- e. CPR 990-2, Book 610.
- f. AR 672-20.

(HSMC-RM)

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